

EXHIBIT E

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BNP PARIBAS S.A., BNP PARIBAS
ARBITRAGE SNC, BNP PARIBAS BANK &
TRUST (CAYMAN) LIMITED, and BNP
PARIBAS SECURITIES SERVICES S.A.,

Defendants.

Adv. Pro. No. 12-01576 (SMB)

**STIPULATION AND ORDER REFERRING DISCOVERY
DISPUTES TO ARBITRATOR**

WHEREAS, on August 30, 2017, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, filed the above-captioned Amended Complaint against BNP

Paribas S.A., BNP Paribas Arbitrage SNC, BNP Paribas Bank & Trust (Cayman) Limited, and BNP Paribas Securities Services S.A. (collectively, with the Trustee, the “Parties”) (original Complaint filed on May 4, 2012).

WHEREAS, on October 4, 2016, Judge Bernstein entered an Order Appointing a Discovery Arbitrator Pursuant to Bankruptcy Rule 9019(c) and General Order M-390 (the “October 2016 Order”) appointing the Honorable Frank Maas (ret.) (c/o Jams, Inc.) as Discovery Arbitrator (the “Discovery Arbitrator”) to resolve disputes that may arise and which have been specifically referred to him by the Court with the consent of the Parties;

WHEREAS, the Parties have engaged in discovery, have conferred in good faith, and are unable to resolve their differences with regard to certain disputes.

IT IS THEREFORE MUTUALLY AGREED AND STIPULATED, by and between the Parties, as follows:

1. The Parties agree that disputes relating to discovery shall be resolved consistent with the procedures outlined in the October 2016 Order.
2. The Parties agree to raise any discovery disputes with the Discovery Arbitrator, as contemplated in paragraph 7 of the October 2016 Order.
3. The Parties agree that the Discovery Arbitrator shall thereafter establish procedures for the resolution of the dispute, as contemplated in paragraph 8 of the October 2016 Order.
4. Except as expressly set forth herein, the Parties to this Stipulation reserve all rights and defenses they may have.

Dated: December __, 2017

By: /s/
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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

By: _____
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Paribas Arbitrage SNC, BNP Paribas Bank &
Trust (Cayman) Limited, and BNP Paribas
Securities Services S.A.*

SO ORDERED

Dated: _____
New York, New York

HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE